

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CLYDE B. WILLIAMS,

Petitioner,

v.

Case No. 11-C-0572

HON. BRUCE SCHOEDER,

Respondent.

ORDER DENYING MOTION FOR LEAVE TO APPEAL *IN FORMA PAUPERIS*

Petitioner in the above case has moved to appeal *in forma pauperis* from this Court's order dismissing his petition for mandamus. The Court concluded that the petition was in fact a second habeas corpus and therefore not allowed absent permission from the Court of Appeals. Petitioner now seeks to appeal that ruling. In support of his petition he has filed an affidavit of indigency which clearly indicates that he lacks the financial ability to pay the proper filing fee. Nevertheless, I conclude that an appeal would not be taken in good faith because it seeks review of an issue that appears clearly frivolous. *See Lee v. Clinton*, 209 F.3d 1025-1026 (7th Cir. 2000). Accordingly, the cause and appeal would not be in good faith, the motion to proceed *in forma pauperis* is DENIED. Petitioner's "Motion to pay all court filing fees on the installment plan" is also DENIED.

SO ORDERED this 4th day of August, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge